PATENT
Attorney Docket No. 15662-0009-00

Sector /

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHELINE MARKEY, JOHN W. SHELL and
BRET BERNER

Application No.: 09/432,881

Filed: November 2, 1999

For: PHARMACOLOGICAL INDUCEMENT
OF THE FED MODE FOR ENHANCED
DRUG ADMINISTRATION TO THE
STOMACH

Examiner: Unassigned

Art Unit: 1615

TRANSMITTAL LETTER - RESPONSE
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted
dated December 14, 1999, enclosed are the following to be made of record in the above-
identified application:

1) Executed Declaration
2) Power of Attorney
3) Verified Statement Claiming Small Entity Status
4) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Small entity: (a)   Filing Fee (§ 1.16(a)) (Small Entity) $ 380.00

(b)   Excess Claims Fees (§ 1.16(b), (c)):

99 - 20 = 79 x $9 = $ 711.00

3 - 3 = 0 x $39 = $ 0

(c)   Missing Parts Surcharge $ 65.00

TOTAL FEES TO BE CHARGED $1,156.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.
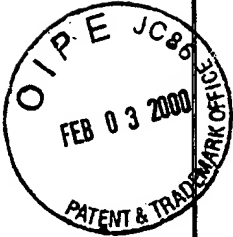
Respectfully submitted,

M. Henry Heines
Reg. No. 28,219

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200
Fax (415) 576-0300
MHH/mcd:
rev. 3/99
SF 150886 v1
SF 150886 v1

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Offi e
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/432,881	11/02/99	MARKEY	M 15662-000900

020350   0242/1214
TOWNSEND AND TOWNSEND AND CREW LLP   NOT ASSIGNED
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111   1615

DATE MAILED:
                                              12/14/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ $65.00 f r a small ntity in compliance with 37 CFR 1.27, or ☐ $130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ *small entity (statement filed)* ☒ *non-small entity is $ 2312.00 .*

☒ 1. The statutory basic filing fee is:
☒ missing.
☐ insufficient.
Applicant must submit $ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Th following additional claims fees are due:
$ 1422.00 for ____ total claims over 20.
$ ____ for ____ independent claims over 3.
$ ____ for multiple dependent claim surcharge.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:
☒ is missing or unsigned.
☐ does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

_____

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A $50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☐ 8. The application was filed in a language other than English. Applicant must file a verified English translation of the application, the $130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
☒ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

M. middleton

Customer Service C nter
Initial Pat nt Examination Division (703) 308-1202